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16 UNITED STATES OF AMERICA

17 UNITED STATES DISTRICT COURT

18 FOR THE CENTRAL DISTRICT OF CALIFORNIA

19 UNITED STATES OF AMERICA,

20 No. 2:25-MJ-03504

21 Plaintiff,

22 [PROPOSED] ORDER CONTINUING FILING
23 DATE FOR INFORMATION OR INDICTMENT
24 PURSUANT TO SPEEDY TRIAL ACT

25 v.

26 DAVID JOSE HUERTA,

27 Defendant.

28 The Court has read and considered the Stipulation Regarding
1 Request for Continuance of Filing Date for Information or Indictment
2 Pursuant to the Speedy Trial Act, filed by the parties in this matter
3 on June 30, 2025. The Court hereby finds that the Stipulation, which
4 this Court incorporates by reference into this Order, demonstrates
5 facts that support a continuance of the deadline to file an
6 indictment or information and provides good cause for a finding of
7 excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161.

8 The Court further finds that: (i) the ends of justice served by
9 the continuance outweigh the best interest of the public and
10 defendant in the return of an indictment or filing of an information

1 within the original thirty-day period; (ii) failure to grant the
2 continuance would be likely to make a continuation of the proceeding
3 impossible, or result in a miscarriage of justice; and (iii) failure
4 to grant the continuance would unreasonably deny defendant continuity
5 of counsel and would deny defense counsel the reasonable time
6 necessary for effective preparation, taking into account the exercise
7 of due diligence.

8 THEREFORE, FOR GOOD CAUSE SHOWN:

9 1. The date that any indictment or information in this matter
10 must be filed pursuant to 18 U.S.C. § 3161(b) is continued from July
11 6, 2025, to August 5, 2025.

12 2. The time period of July 6, 2025, to August 5, 2025,
13 inclusive, is excluded in computing the time within which an
14 indictment must be filed, pursuant to 18 U.S.C. §§ 3161(h)(7)(A),
15 (h)(7)(B)(i), and (B)(iv).

16 3. Nothing in this Order shall preclude a finding that other
17 provisions of the Speedy Trial Act dictate that additional time
18 periods are excluded from the period within which trial must
19 commence. Moreover, the same provisions and/or other provisions of
20 the Speedy Trial Act may in the future authorize the exclusion of

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1 additional time periods from the period within which trial must
2 commence.

3 IT IS SO ORDERED.

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5 **June 30, 2025**



6 DATE

7 HON. BRIANNA FULLER MIRCHEFF
8 UNITED STATES MAGISTRATE JUDGE

9 Presented by:
10 /s/

11 SHAWN J. NELSON
12 Assistant United States Attorney

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